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State of Minnesota

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HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH
SESSION

HOUSE FILE No. **3660**

March 15, 2010

Authored by Koenen

The bill was read for the first time and referred to the Committee on Finance

April 28, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Ways and Means

May 3, 2010

Committee Recommendation and Adoption of Report:

To Pass

Read Second Time

1.1 A bill for an act
1.2 relating to claims against the state; providing for settlement of certain claims;
1.3 appropriating money.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. **DEPARTMENT OF CORRECTIONS.**

1.6 The amounts in this section are appropriated from the general fund to the
1.7 commissioner of corrections in fiscal year 2011 for full and final payment under Minnesota
1.8 Statutes, sections 3.738 and 3.739, of claims against the state for injuries suffered by
1.9 and medical services provided to persons injured while performing community service
1.10 or sentence-to-service work for correctional purposes or while incarcerated in a state
1.11 correctional facility. This appropriation is available until June 30, 2011.

1.12 (a) For sentence-to-service and community work service claims under \$500 and
1.13 other claims already paid by the department, \$3,692.83.

1.14 (b) For payment to Robert Finch for permanent injuries to his left hand suffered
1.15 while performing assigned duties while incarcerated at MCF-Faribault, \$7,200.

1.16 (c) For payment to Thomas Hamilton for permanent injuries to his ankle suffered
1.17 while performing assigned duties while incarcerated at MCF-Faribault, \$4,736.

1.18 (d) For payment to Leon Hettver for permanent injuries to his left hand suffered
1.19 while performing assigned duties while incarcerated at MCF-Faribault, \$1,875.

1.20 (e) For payment to Robert Johnson for permanent injuries to his face suffered while
1.21 performing assigned duties while incarcerated at MCF-Stillwater, \$1,500.

1.22 (f) For payment to William Jones for permanent injuries to his left hand suffered
1.23 while performing assigned duties while incarcerated at MCF-Faribault, \$3,750.

2.1 (g) For payment to Tamara Lamke for permanent injuries to her knee suffered while
2.2 performing sentence-to-service work in Isanti County, \$3,750.

2.3 (h) For payment to John Lee for permanent injuries to his left hand suffered while
2.4 performing assigned duties while incarcerated at MCF-Faribault, \$3,703.13.

2.5 (i) For payment to Paul McKay for permanent injuries to his right hand suffered
2.6 while performing assigned duties while incarcerated at MCF-Rush City, \$1,875.

2.7 (j) For payment to Chad Westring for permanent injuries to his spine suffered
2.8 while performing sentence-to-service work in Todd County, \$11,475; and for payment to
2.9 medical providers for treatment of Mr. Westring, \$13,903.33.

2.10 **Sec. 2. OFFICE OF THE COURT ADMINISTRATOR.**

2.11 (a) \$34,049.10 is appropriated from the general fund in fiscal year 2011 to the
2.12 Office of the Court Administrator for payment to William Howard Heins as full and final
2.13 payment of his claim for compensation for wrongful imprisonment.

2.14 (b) The Office of the Court Administrator shall ensure that all fines and restitution
2.15 balances listed by the Office of the Court Administrator on the attachment to their April 9,
2.16 2010, letter to the Joint House/Senate Subcommittee on Claims, except item number seven
2.17 on that list, are paid out of the payment to Mr. Heins in paragraph (a). The amounts to be
2.18 paid total \$8,565.10, or so much of that amount as is still owed when Mr. Heins receives
2.19 the payment provided for in paragraph (a).

2.20 (c) Before receiving payment under paragraph (a), Mr. Heins must sign a release
2.21 agreeing that it is a full and final payment of his claim against the state, or political
2.22 subdivision of the state, or any employee of the state or political subdivision for wrongful
2.23 imprisonment in 2007 and 2008 and that he will not request or accept credit against any
2.24 future sentences imposed on him for that time of wrongful imprisonment. The Office
2.25 of the Court Administrator shall reduce the amount of any payment under this section
2.26 to reflect any credit given to Mr. Heins for the wrongful imprisonment covered by the
2.27 payment in any sentencing proceeding before the payment is made.